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ABSTRACT

Data generated from an ongoing national crime victimization survey and details about the circumstances and consequences of personal crimes form the basis for estimating the cost of a national program to compensate victims of violent crime. Victim compensation programs represent an attempt to rectify the neglect of the victim. Uncertainty about the potential costs of these programs has resulted in disinclination to enact such programs. Using the technique of victimization surveying, the National Crime Survey has produced a great amount of information that is relevant to projecting the cost of a victim compensation program. Although an anlysis of cost issues can be guided by features of existing State compensation programs, the NCS findings indicate that some of the restrictions in these programs are not relevant to the types of people most likely to be victimized. The estimates of the costs of such a national program to compensate victims of violent crimes are necessarily tentative, and range from $144 million to $261 million depending on the particular minimum loss criteria used. (BN)

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Applications of the National Crime Survey
VICTIMIZATION AND ATTITUDE DATA
ANALYTIC REPORT SD-VAD-5
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COMPENSATING VICTIMS OF VIOLENT CRIMES

POTENTIAL COSTS AND COVERAGE OF A NATIONAL PROGRAM

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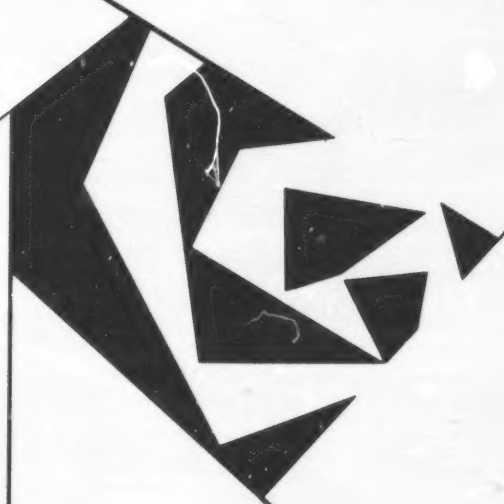

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Applications of the National Crime Survey Victimization and Attitude Data

ANALYTIC REPORT SD-VAD-5

COMPENSATING VICTIMS OF VIOLENT CRIME: Potential Costs and Coverage of a National Program

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The APPLICATION OF VICTIMIZATION SURVEY RESULTS Project is funded by the Statistics Division of the National Criminal Justice Information and Statistics Service of the Law Enforcement Assistance Administration. This research project has as its aim the analysis of the data generated by the National Crime Survey studies of criminal victimization undertaken for LEAA by the United States Bureau of the Census. More specifically, this research project, as its title suggests, encourages the use of the National Crime Survey data to examine issues that have particular relevance for *applications* to the immediate needs of operational criminal justice programs.

This aim is pursued in two ways. First, the project staff has conducted a series of regional seminars on the history, nature, uses, and limitations of the National Crime Survey victimization data. These seminars, attended by criminal justice planners, crime analysts, researchers, and operating agency personnel, have served as a useful exchange for disseminating information about the LEAA/Census victimization surveys and for soliciting from attendees suggestions for topics that they would like to see explored with the available victimization survey data. Second, based on these suggestions and on topics generated by the project staff at the Criminal Justice Research Center, the project staff has undertaken a series of analytic reports that give special attention to applications of the victimization survey results to questions of interest to operational criminal justice programs. This report is one in the analytic series.

The National Crime Survey victimization data provide a wealth of important information about attitudes toward the police, fear of criminal victimization, characteristics of victims, the nature of victimizations, the consequences of crimes to victims, characteristics of offenders, the failure of victims to report crimes to the police, reasons given by victims for not notifying the police, and differences between those victimizations that are and those that are not reported to the police.

The National Crime Survey results make available systematic information the scope and depth of which has not heretofore been available. These

data constitute a vast store of information that can be a substantial utility to the criminal justice community. Knowledge about characteristics of victimized persons, households, and commercial establishments and about when and where victimizations occur have particular relevance for public education programs, police patrol strategies, and environmental engineering. Information on the nature and extent of injury and loss in criminal victimization can provide data necessary for determining the feasibility of, or planning for, programs for restitution and compensation to victims of crime. Information about the level of property recovery after burglaries and larcenies is useful for assessing the need for property identification programs. Knowledge about the levels of nonreporting to the police and about the kinds of victimizations that are disproportionately not reported to the police give an indication of the nature and extent of biases in police data on offenses known.

These are only a few of the areas in which results of victimization survey data have the potential for informing decisionmaking and shaping public policy. It is the aim of this series of analytic reports to explore some of the potential applications of the victimization survey results and to stimulate discussion about both the utility and limitations of such applications.

MICHAEL J. HINDELANG
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Highlights of the Findings

IN THIS REPORT, a series of issues are discussed in the process of laying the groundwork for an estimation of the cost of a national program to compensate victims of violent crime. The main findings that result from the steps in the analysis are:

(1) Victim compensation programs represent an attempt to rectify the relative neglect of the victim in the criminal justice system.

(2) Uncertainty about the potential costs of victim compensation programs has led to some disinclination to enact such programs. Furthermore, the uncertainty cannot be resolved adequately with data generated by existing programs.

(3) Analysis of compensation cost issues can be guided by the features of existing compensation programs because there is a great deal of similarity among the provisions of existing State victim compensation statutes.

(4) Using the technique of victimization surveying, the National Crime Survey has produced a great amount of information that is relevant to projecting the cost of a victim compensation program.

(5) The NCS findings concerning the age, employment status, and family income of victims of personal crimes, as well as the findings about victim/offender relationships in these crimes, indicate that some of the eligibility restrictions in existing compensation programs are not extremely relevant to the types of people most likely to be victimized.

(6) Injury and the need for medical attention are relatively rare outcomes in personal victimizations. In addition, the costs of medical attention are unequally distributed among victims, with the overwhelming majority of events resulting in relatively low costs and a small number of victimizations resulting in very high costs.

(7) Losses resulting from time lost from work are particularly difficult to measure with the NCS data, but the indications are that such losses follow an unequal distribution similar to the one found for medical expenses.

(8) Many assumptions are necessary to produce estimates of the costs of a national program to compensate victims of violent crime. Although recognizing that such assumptions make the estimates tentative, the report concludes with three total cost estimates for a national program that range from about $144 million to $261 million, depending on the particular minimum loss criteria used.

COMPENSATING VICTIMS OF VIOLENT CRIME: Potential Costs and Coverage of a National Program

Introduction

DURING THE past decade the idea of providing assistance to innocent victims of crime has blossomed. One of the most widely adopted methods of supplying such assistance has been the creation of programs that provide financial compensation for the medical costs and other injury-related costs incurred by victims of violent crimes.

In this report, existing victim compensation programs are reviewed for the purpose of determining the nature of a typical compensation program: What types of crime are covered? What types of loss are compensable, and for what amounts? What criteria must victims meet to be eligible for compensation? Then, estimates of the costs of operating a typical compensation program on the national level are made. The cost estimates are derived from several data sources, but the primary source is the National Crime Survey, a program of national victimization surveys conducted by the Bureau of the Census for the Law Enforcement Assistance Administration of the Department of Justice.

Throughout the report, attempts are made to critically evaluate the ramifications of various provisions in the typical victim compensation program. This should assist planners in maintaining a degree of informed flexibility in their consideration of alternative features for a victim compensation program.

The Victim and the Criminal Justice System

It is ironic that the victim of crime in the United States has commanded only nominal recognition by the criminal justice system. Without the cooperation and assistance of crime victims, many law enforcement tasks would be impossible to perform. By reporting crimes to the police, assisting police in the identification and apprehension of offenders, and subsequently testifying in court about the particulars of the crime and the involvement of the defendant, the victim performs an indispensable service for the criminal justice system. Conversely, victims frequently feel that they need the criminal justice system to accomplish their own goals: assistance by the victim in the administration of justice may be motivated by a desire for retribution, the hope that stolen property will be recovered, or simply a sense

of civic duty. It is apparent that at least to some extent, victims and the criminal justice system each serve the needs of the other.

In modern history, however, this interdependence has been less than optimal. The role of the victim is vital to the life and maintenance of the criminal justice system. The victim's conduct both enables and facilitates the function of criminal justice agencies devoted to law enforcement and adjudication. The contribution of the system to the life and maintenance of the *individual* victim, on the other hand, is largely symbolic; the victim seldom realizes immediate and tangible benefits (e.g., restitution for damages or reparations for physical injuries sustained) for services to the system.

Attempting to vitalize social concern for the victim of crime, many observers have contrasted the lack of funds and attention devoted to the victim with the money and time expended on the protection and rehabilitation of the offender (Schafer, 1968:12; Carrington, 1975). The contrast, although instructive, is misleading. The implication seems to be either that the offender (alleged or convicted) deserves no consideration, or that in the battle for limited public funds, victim interests should override defendant/offender interests. However, concern for the victim has not been supplanted by an emphasis on the alleged offender; in the United States, official concern for the victim of crime was never very substantial. Moreover, the two causes are not necessarily in conflict. Both are legitimate targets of social action. To pose them against each other would be inappropriate and could prove counterproductive.

Whatever the cause of the comparative indifference throughout history,[1] the recent past has brought an awakening of concern for the victim. Many jurisdictions, for example, have sponsored or endorsed programs to provide special services to victims of crime, including counseling (e.g., rape crisis centers) and advice, referral services, and transportation to the criminal court. Information is also provided about the status, progress, and outcome of cases in which victims are involved. Some jurisdictions have begun systematically to consider restitution to the victim at sentencing or to require restitution as a condition of probation or parole (Fogel, et al., 1972; Harland, 1977).

Many States have moved in the direction of providing financial compensation to individuals who suffer out-of-the-pocket losses as the result of injuries incurred during criminal victimizations. As of the end of 1976, 18 States have enacted fairly encompassing victim compensation programs,[2] and a number of Federal proposals for national compensation schemes are in the offing (Schafer, 1970; Edelhertz and Geis, 1974). The nature and costs of programs such as these—through which injured victims of violent crime are compensated by the State for certain expenses—will be the focus of this report.

Estimating the Costs of Compensation: Nature and Consequences of the Problem

Despite the political popularity of providing public assistance to innocent victims of crime, many officials have been reluctant to enact such measures because of apprehension about the potential costs. Others, who proceeded to empower the State to compensate victims of crime, cautiously limited the types of claims that could be honored by imposing a variety of strict eligibility criteria, which often proved inconsistent with each other or theoretically incompatible with popular program justifications.

Doubtless, few social programs have been inaugurated with less information than that which was available to victim compensation program planners in the late sixties or early seventies. How many crimes of violence *actually* occur each year? It is well documented that police reports represented only a fraction of all crimes. Answers to more specific questions have been even more illusory. How many crimes of "violence" actually result in injury or loss to the victim? What is the extent of injury or loss? Who actually pays for the loss? To what extent are victims forced to bear the costs of victimization out of their own pockets? Nor were data available on the effects that various eligibility restrictions (e.g., minimum loss, demonstration of financial "need," notification and cooperation with police, exclusion of relatives of the offender) might have on the number and types of claims filed or on the ultimate cost of the program.

Subsequent to the enactment of early programs, some cost studies were performed (e.g., Edelhertz, Geis, Chappell and Sutton, 1973). Estimates yielded

[1]More accurately, the victim has been treated with relative indifference in the Western world since about the end of the Middle Ages. See Schafer (1968).

[2]The states are: Alaska, California, Delaware, Hawaii, Illinois, Kentucky, Louisiana, Maryland, Massachusetts, Minnesota, New Jersey, New York, North Dakota, Pennsylvania, Tennessee, Virginia, Washington, and Wisconsin.

by inquiries into operating programs, however, are typically inadequate. First, these estimates do not adequately project potential costs of administering even the specific programs to which they apply. The limited public awareness of the availability of assistance suggests that estimates based on *current* costs will grossly understate the actual loss suffered by crime victims. The attempts of even the earliest programs to compensate all eligible victims of crime are really only now getting underway.[3] Second, if current programs were *fully* effective in reaching victims, variations in crime patterns and crime rates from one jurisdiction to another would make generalizations about program costs difficult to make. Third, these program-based estimates are of extremely limited utility for anyone who does not want to enact precisely the same criteria or policies that regulate and determine the cost of current programs.

Inasmuch as most of the original questions about the potential scope and cost of compensating victims of crime remain unanswered, nearly a decade of experience has brought little change in the manner of administering victim compensation. Early programs have proven the unchallenged prototype for subsequent legislation. New programs face nearly the same fiscal uncertainties and suffer the same administrative uncertainties as did their predecessors. Even those programs that have been in existence for a number of years continue to live in uncertainty about the programmatic implications, if any, of the various eligibility restrictions that were enacted initially.

Since the inauguration of efforts to provide public support for victims of crime, advocates have insisted that victim compensation is a "program whose time has come." Yet the sporadic enactment of State programs, which has occurred over the past few years, is evidence that the trend is not overwhelming. Today, however, Federal legislation is being considered. If enacted, such legislation is expected to stimulate the establishment of State programs by providing subsidies. Rhode Island, for one, has already authorized creation of a program that will become operative upon the enactment of supportive Federal legislation.

[3]For example, in Minnesota, law enforcement agencies are required to inform injured victims of their rights concerning victim compensation. A similar provision was added to the New York compensation statute on Jan. 1, 1977.

Two interrelated points that are of primary concern to decisionmakers considering the indemnification of the victim of crime have been the determination of who should qualify for relief and what it is going to cost the State. It is further apparent that the eligibility issue has turned on moral judgment, fiscal apprehension, and theoretical hunch, yielding restrictions that are divorced from, and often inconsistent with, many of the philosophical justifications that might be thought to underlie the programs in the first place. Some examples of conflicts between program justifications and eligibility restrictions will be discussed in this report.

This study is aimed at answering many of the basic questions that continue to press policymakers interested in affording relief to victims of violent crime. Using data from an ongoing national crime victimization survey, details about the circumstances and consequences of personal crimes, irrespective of whether they were reported to the police, will be explored with three objectives in mind. The first is the estimation of the potential magnitude and cost of efforts to compensate victims for medical costs and losses of earnings incurred as the result of personal crimes. Second, estimates of the gross costs and losses sustained by crime victims will be reduced by the amount that victims were reimbursed, at least for medical costs, through private or public health insurance, social welfare, or public assistance payments. Finally, by studying the interplay of the circumstances and consequences of personal crimes, the costs and scope of compensation schemes using different combinations of eligibility criteria will be contrasted. It may be found, for example, that some generally accepted criteria have proven dysfunctional to their spoken aims, that some have unintentionally excluded deserving applicants from consideration for an award, that others have simply proven unnecessary.

It is important to note that this analysis makes no presumptions about the "proper" costs, objectives, or eligibility restrictions for the provision of public assistance to victims of crime. It will attempt to proceed in a fashion that will be of interest and use to parties of various, perhaps even conflicting, persuasions on these issues. It should be noted, however, that different answers to these questions do imply different philosophies and value judgements about the desirability of providing relief to certain kinds of victims under various circumstances. The aim here will be to identify, not to judge these conflicting values, and in the final analysis, to provide

information on which legislative and administrative decisions can be made.

Boundaries of the Analysis: Current Compensation Legislation

It will be useful to restrict the analysis of crime-related losses to those incidents falling within some of the broader typical restrictions of existing compensation schemes. For example, virtually all programs provide compensation for personal losses such as medical expenses and loss of earnings resulting from physical injuries suffered by victims of crime, but do not provide compensation for property loss or damage resulting from theft or vandalism. Within these broad limits, the investigation will focus on the nature and extent of what might be deemed *compensable* losses sustained by crime victims. To do so requires the identification of some fairly uniform standards for the determination of eligibility for compensation. The standards widely used in currently operating compensation programs strongly suggest what the standards will be in the future. Current standards will be used here to estimate the potential scope and cost of future victim compensation programs, but this analysis will not avoid a critical evaluation of those standards.

Because the rules and procedures of current victim compensation programs are essentially comparable, this report's analysis of the nature and extent of crime-related losses, and its projections about the number and cost of *compensable* losses will not have to consider myriad configurations of eligibility criteria. For the purposes of this analysis, the most relevant parameters of current compensation legislation are: 1) who is eligible to receive compensation; 2) what kinds of losses are compensable; 3) the maximum and minimum size of compensatory awards; and 4) general restrictions on eligibility, ranging from the victim's responsibility or involvement in the crime, to the victim's notification of and

TABLE 1 Selected provisions of victim compensation statutes in 15 States, 1976

	Alaska	California	Delaware	Hawaii	Illinois	Kentucky
Is coverage restricted to violent crimes resulting in injury or death?[a]	Yes	Yes	Yes	Yes	Yes	Yes
How soon after the crime must a claim be filed?	2 yrs.	1 yr.	1 yr.	18 months	2 yrs.	90 days
Must the crime be reported to the police?	Yes	Yes	No[b]	Yes	Yes	Yes
Which losses are eligible for reimbursement?						
(a) medical expenses	(a) Yes	(a) Yes	(a) Yes	(a) Yes	(a) Yes	(a) Yes
(b) loss of earnings or support	(b) Yes	(b) Yes	(b) Yes	(b) Yes	(b) Yes	(b) Yes
(c) pain and suffering	(c) No	(c) No	(c) Yes	(c) Yes	(c) No	(c) No
(d) funeral and/or burial expenses	(d) No	(d) Yes	(d) Yes	(d) Yes	(d) Yes	(d) Yes
In death cases, are dependents eligible for award?	Yes	Yes	Yes	Yes	Yes	Yes
Must claimant show financial need?	No	Yes	Yes	No	No	Yes
What is the minimum loss required?	No minimum	Lesser of $100 or 20 percent of victim's net monthly income	$25	No minimum	$200	$100 or two weeks earnings
What is the maximum limit on compensation[c]	$10,000	$10,000	$10,000	$10,000	$10,000	$15,000
Are reimbursements received by the victim through insurance, etc. deducted from the award?	Yes	Yes	Yes	Yes	Yes	Yes
Is victim ineligible if related to the offender?[a]	Yes	NA[f]	NA[f]	Yes	Yes	Yes

Sources: New York Legislative Commission on Expenditure Review (1975) and National District Attorneys Association (1976).

[a]Most States also extend coverage to persons who are injured or killed while trying to prevent a crime or assist a law enforcement officer.
[b]Cooperation with law enforcement authorities is required.
[c]Compensation limits correspond to those in the workman's compensation provisions.

cooperation with authorities. Table 1 reflects the consensus on eligibility requirements among 15 State victim compensation programs operating in 1976.

Who May Apply

Although a few States (not listed in Table 1) limit eligibility to the persons or families of "good samaritans" who are injured or killed in the process of rendering aid to a law enforcement official or to a victim of crime, most award compensation for physical injury or death resulting from *any* violent criminal act. In non-fatal violent crimes, the recipient of the award is usually the actual victim of the crime, but in some cases a third person who pays the victim's medical expenses can be compensated. In fatal crimes, the spouse, children, or parents of the victim are generally eligible for some type of compensation.

A minority of the States shown in Table 1 restrict compensation to victims who are in financial need. However, three of the five States that have such provisions (California, Maryland, and New York) were among the first in this country to enact victim compensation legislation, and the trend appears to be away from a financial need requirement.

Compensable Losses

Payments are almost universally limited to *unreimbursed* medical expenses (including doctor, hospital, emergency room, and aftercare treatment), loss of earnings by the victim, loss of support by the victim's dependents, and funeral and burial expenses occurring as a direct result of crime. In about half the jurisdictions, expenses for psychological and vocational rehabilitation necessitated by the crime are also compensable.

A critical feature that applies universally to reimbursements is that no loss that is otherwise covered (by public or private health or medical insurance policies, disability or unemployment programs, and the like) can be claimed under victim compensation laws. In fact, documentation of losses must be submitted as part of any application for an award. The intent is to ensure that every reasonable alternative source of remuneration has been exhausted before the State is forced to assume any loss

TABLE 1 concluded

Louisiana	Maryland	Massachusetts	Minnesota	New Jersey	New York	North Dakota	Pennsylvania	Washington
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
1 yr.	180 days	1 yr.	1 yr.	1 yr.	1 yr.	1 yr.	1 yr.	180 days
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
(a) Yes	(a) Yes	(a) Yes	(a) Yes	(a) Yes	(a) Yes	(a) Yes	(a) Yes	(a) Yes
(b) Yes	(b) Yes	(b) Yes	(b) Yes	(b) Yes	(b) Yes	(b) Yes	(b) Yes	(b) Yes
(c) Yes	(c) No	(c) No	(c) No	(c) No	(c) No	(c) Yes	(c) No	(c) No
(d) Yes	(d) Yes	(d) No	(d) Yes	(d) No	(d) Yes	(d) Yes	(d) Yes	(d) No
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Yes	Yes	No	No	No	Yes	No	No	No
$100 or two weeks earnings	$100 or two weeks earnings	$100 or two weeks earnings	$100	$100 or two weeks earnings	$100 or two weeks earnings	$100	$100 or two weeks earnings	No minimum[c]
$50,000	$45,000	$10,000	$10,000	$10,000	$15,000	$25,000	$10,000 for injury $15,000 for death	No maximum[c]
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

[a] Maximum compensation limits are often set for particular types of losses (e.g., for burial expenses).
[b] Restrictions are usually extended to prohibit compensation to victims who had been living with or maintaining a sexual relationship with the offender.
[c] Not ascertained.

and, simultaneously, to preclude collateral reimbursements.

Only 4 of the 15 states listed in Table 1 (Delaware, Hawaii, Louisiana, and North Dakota) provide compensation for any "pain and suffering" endured as the result of victimization. Because they represent intangible injury, the probability and cost of pain and suffering awards are difficult to predict. It is probably this ambiguity that has led to the limited adoption of pain and suffering clauses by legislatures. Similarly, the projections in this study will assume that pain and suffering awards will be excluded from the typical compensation program.

Maximum and Minimum Size of Awards

Nearly every jurisdiction with a compensation program has a statutory maximum award that can be made. Whether the maximum amounts apply independently to the medical expense and to the loss of earnings categories or are figured as an aggregate of the categories, the total allowable award is usually $10,000 but does reach $50,000 in one State (Louisiana). Similarly, most programs also require that a victim sustain a minimum loss, usually $100 "out of the pocket" expenses or two weeks loss of earnings, before becoming eligible for State compensation. The presumption is that the minimum loss requirement will save substantial administrative expense by precluding small, presumably nominal, claims from consideration. However, what is considered "nominal" appears to vary somewhat by jurisdiction.

General Eligibility Restrictions

Besides meeting the criteria already discussed, victims must conform to an additional set of requirements in most jurisdictions. Generally, the person must have been the *innocent* victim of a crime; to the extent that the person is found to have contributed to the offense, and thus the injury, the award can be either reduced or disallowed. In a similar vein, the victim cannot have been a relative of the offender. The aim of this provision is to preclude consideration of injuries stemming from family disturbances and to prevent collusion between relatives.

Three additional restrictions, relating to what the victim must do *after* the crime, are characteristic of a majority of current compensation programs. First, barring compelling reasons to the contrary, the victim (or dependent) must report the crime to the police within a specified period of time, usually 2 to 5 days. Thereafter, the victim is obliged to cooperate fully with all law enforcement and judicial agencies in the processing of the case. Finally, the victim must apply for compensation within a stated interval after the crime, usually within 1 or 2 years. Failure to comply with any of these requirements can result in disallowance of the claim.

Fortunately, the data set that will be used in this report contains information relevant to the major criteria in most existing compensation statutes.

The National Crime Survey

In 1972, the Bureau of the Census, under interagency agreement with the Law Enforcement Assistance Administration (LEAA) of the Department of Justice, began the systematic collection of information about the circumstances and consequences of criminal victimization in the United States. Known as the National Crime Survey (NCS), the data collection program includes personal interviews with about 136,000 individuals in a national stratified probability sample of approximately 60,000 households annually. The respondents are asked questions to determine whether they had been the victims of a selected set of crimes during the 6 months preceding the interviews. Detailed questions are used to elicit from respondents the nature and consequences of any victimizations uncovered in the course of the interviews.[4]

The survey involves a rotating panel design consisting of six panels of 10,000 households each; all persons 12 years of age and older in each household are interviewed twice a year—the interviews being 6 months apart—for 3 years, after which time, new households are introduced into the panel. The panel feature was designed to provide information not only on the nature of criminal victimization, but also on the change over time in victimization incidents and patterns. Although issues of panel design, sampling frame, questionnaire construction and administration are by no means insignificant (indeed, they are quite complex), their treatment is beyond the scope of this inquiry. Detailed discussion of the

[4]Contemporaneous with the household portion of the National Crime Survey, but independent in terms of sampling, methodology and administration, was the commercial portion of the NCS, designed to measure crimes of robbery and burglary committed against commercial establishments.

design, methodology, and administration of the National Crime Survey is provided elsewhere (LEAA, 1976; Garofalo and Hindelang, 1977).

As noted, National Crime Survey data are derived from a *sample* of households; the crimes reported, therefore, constitute a sample, not the universe, of victimizations. Because the aim of this report is to make projections about the nature and costs of a national victim compensation program, a weighting system devised by the Bureau of the Census has been applied to the sample data to produce estimates of the numbers of victimizations in the nation as a whole (U.S. Bureau of the Census, undated). The nature of the sampling technique and the large number of cases included in the sample enable one to be reasonably confident that the rates and patterns of criminal victimization estimated on the basis of the sample are statistically reliable (LEAA, 1976). However, there are a few places in this report where the number of victimizations exhibiting a particular set of characteristics is very small. The reader should be aware that each sample case is weighted by a factor of about 1,200 to 1,300 to produce population estimates and that the estimates are less reliable when they are based on a small number of sample cases.

As noted, information regarding specific offenses is sought. Included are crimes against the household (burglary, attempted burglary, larceny from the household, and vehicle theft) and crimes against the person (rape, robbery, aggravated and simple assault, and personal larceny). For the purpose of analyzing patterns and consequences of violent crimes against the person, the only crimes deemed compensable by current legislation, these offense categories are nearly ideal.[5] The interviewing schedules are designed so that if the victim was attacked or even threatened with bodily harm, then the incident is recorded and details about it are ascertained.

In addition to collecting the incident-related information required to accurately classify the crime being described by the respondent, the survey addresses a variety of other factors of particular relevance to the discussion here. Annual family income, for example, is a useful bit of information for estimating the value of time lost from work by victims or for determining how much effect a financial need criterion has on the number of victims who are eligible for compensation. Personal characteristics of the individual respondents are also recorded during the interviews, and some of these characteristics, as they relate to victimization, are of interest here, as will be shown in the next section.

Following a series of general screening questions about victimization experiences occurring in the previous 6 months, each respondent is asked about the particulars of each incident reported to the interviewer: when and where it occurred (at home, in the street, in a public conveyance, a public or commercial building, an office, factory, warehouse, inside school, etc.); what happened (Were you attacked? How? Were you threatened? How? Was there a weapon present?); the consequences of the crime (injury, medical attention, cost of medical attention, insurance coverage, property loss or damage, cost of loss or damage, police recovery of stolen items, time lost from work as a consequence of victimization, whether the incident was reported to the police, and if not reported, why the police were not notified). For those personal victimizations in which the victim saw the offender, information about the assailant(s) was also solicited. How many offenders were there? What was the age, race, and sex of the offender? Was the offender known to the victim? What, if any, was offender's relationship to the victim: spouse, ex-spouse, brother, sister, child, parent, or other?

Given the design of victimization surveying, some kinds of incidents about which there might be keen interest are simply not included. For example, homicide, a compensable crime under any current program, was not included. Similarly, because of the difficulty of interviewing youths under 12 years of age, the survey did not attempt to measure crimes against that portion of the population. Inasmuch as both of these kinds of occurrences represent fairly rare events, their exclusion from the survey should not seriously jeopardize this analysis. Furthermore, because official police statistics on homicide (the more important of the two for our purposes) are generally accepted as quite reliable, it will be possible to adjust our survey-based estimates of program scope and cost on the basis of official data.

Despite the few restrictions of the NCS, its probe of the nature and consequences of criminal victimization has yielded an unprecedented wealth of information about the nature, costs, and consequences of victimization. In this report, NCS data

[5]Some types of crimes that might result in compensable losses did not fall within the scope of the NCS: For example, a person injured as the result of arson would be eligible for compensation under most existing statutes, but arson was not one of the crimes included in the NCS. However, the major relevant type of crime that did not fall within the scope of the NCS is homicide. This issue will be dealt with later in the report.

about victimizations that occurred during 1974 will be applied to an analysis of the potential costs and coverage of a national victim compensation program. The analysis begins with an examination of some relevant victim characteristics. Then, the likelihood and costs of two types of compensable losses—medical expenses and time lost from work—will be discussed. Finally, a model that uses the most prevalent eligibility criteria from current compensation programs will be developed so that estimates of the number of victims covered and of total costs can be made.

Characteristics of Victims in Personal Crimes

The following discussion will focus on crimes involving a direct confrontation or contact between an offender and victim, that is, those offenses most likely to result in some kind of physical injury to the victim and, thus, a claim for compensation by the victim. These personal crimes are comprised of the offenses that are usually included in the legal classifications of rape, personal robbery, aggravated and simple assault, larceny from the person (pocket-picking or purse-snatching), or attempts to commit any of these crimes. This section will provide a rough sketch of victims of personal crimes in terms of personal attributes that have relevance to compensation programs.

Age of the Victim

The distribution of victimizations among age groups in the population would seem to have implications for victim compensation programs. The probability that a person is employed and would need to be reimbursed for loss of earnings should vary with age. Likewise, given similar amounts of force used by offenders, older victims would probably be more likely than younger victims to suffer injuries that require extensive medical treatment.

TABLE 2 Estimated rates per 1,000 persons and numbers of personal victimizations in the United States, by offense and age of the victim, 1974

Offense	Age of the victim				
	12-19 (32,319,600)[a]	20-34 (46,820,300)	35-49 (33,783,000)	50 or older (51,639,000)	Total (164,561,900)
Rape	2[b]	2	0	0	1
	62,362[c]	74,909	7,225	12,570	157,066
	40%[d]	48%	5%	8%	100%
Robbery	16	12	8	5	10
	509,129	564,333	263,064	283,278	1,620,704
	31%	35%	16%	18%	100%
Aggravated assault	17	14	5	2	9
	535,847	667,751	183,280	89,021	1,475,899
	36%	45%	12%	6%	100%
Simple assault	26	19	7	3	13
	835,320	900,647	252,700	175,271	2,163,937
	39%	42%	12%	8%	100%
Personal larceny with contact	3	3	2	3	3
	108,783	132,602	83,168	168,039	492,592
	22%	27%	17%	34%	100%
Total	63	50	23	14	36
	2,051,441	2,340,242	790,336	728,179	5,910,199
	35%	40%	13%	12%	100%

[a]Estimated number of persons in category.
[b]Rate of victimization, per 1,000 population. The rape rates are based on the appropriate number of females, not males and females, within each column variable category.
[c]Estimated number of victimizations.
[d]Percent of row total.

Table 2 displays the distribution of personal crimes for victims of different ages. Although more personal crimes were committed against persons 20 to 34 years old than against persons in any other age group, youths (12 to 19 years old) had the highest *rate*[6] of personal victimization in 1974, 63 compared to 50, 23, and 14 per 1,000 in each successively older age group. Furthermore, the pattern persists when type of crime is controlled; the youngest age group suffered greater rate of victimization for robbery, aggravated assault, and simple assault than any other age group. Rapes were committed disproportionately against persons in the two youngest age groups. Larceny from the person victimization rates were essentially invariant across the four age groups (about two or three per 1,000).

Conversely, the oldest group had the lowest overall victimization rates (14 per 1,000) *and* the lowest crime-specific rates of all. Indeed, a closer look at Table 2 reveals a very interesting feature about the relation between age and victimization. For total victimization and for each type of victimization, an inverse relation between age and victimization is clearly evident: *the older the individual the less his or her chances of becoming the victim of a personal crime.* As noted, the single exception to this involves cases of purse-snatching and pocket-picking (classified as personal larceny with contact), to which individuals of all age groups appear to be equally vulnerable.

The relation between age and victimization points up some interesting and ironic features about programs designed to compensate victims of personal crimes for loss of earnings and unreimbursed medical expenses stemming from their victimizations. First, given the observed relation between age and victimization, it appears that those with the highest probability of being victimized (the young) are least likely to sustain compensable losses. Relative to other age groups, victims in the 12 to 19 age group are unlikely to be working, so they stand to suffer minimal loss of earnings; because they tend to be more physically fit than their elders, they are also likely to require less intensive medical attention and, consequently, to incur lower medical expenses. Conversely, those most likely to sustain *compensable* kinds of losses when they are victimized are the least likely to be victimized at all.

[6]A victimization rate is defined as the number of victimizations suffered by a given group (e.g., males) divided by the number of people in that group. To obtain a rate per 1,000 persons in the group, the result is multiplied by 1,000. Note that a victimization rate is not the same as the proportion of persons in the group who were victimized because the numerator of the rate is the number of victimizations; if some people in the group suffered more than one victimization during the reference period, all of their victimizations would be included in the numerator.

Employment Status

Most victim compensation statutes provide for reimbursement of earning losses that are the direct result of injuries inflicted on the victim. Therefore, the extent to which victims were employed at the time of their victimization is an important piece of information. Table 3 indicates that slightly over half of the 6 million personal crimes occurring in 1974 were committed against victims who were employed; slightly more than one-sixth involved persons who were younger than 16 years of age (and for whom employment information is not available in the NCS); nearly one-third of the victims were not employed[7] at the time of the crime. Because employment is a prerequisite to a claim for loss of earnings or support, the fact that nearly one-half of all personal victimizations are committed against people without jobs, or at least without substantial jobs (those under 16), would tend to minimize the number of earnings and support claims one might otherwise expect.

Family Income

It was noted earlier that some statutes require the victim to demonstrate that the expenses resulting from the victimization would constitute a financial hardship if they had to be paid for out of the victim's own pocket. Administrators readily concede the difficulty of determining "hardship" or "need."[8] Most programs have devised rather complicated formulae to assist administrators in making rulings. The Crime Victims Compensation Board in the State of New York, for example, has diligently laid out a list of assets and liabilities a victim might have, indicating what proportion of each is to be included, exempted, or deducted from the victim's gross worth in the determination of financial hardship.[9] Then, with figures on the victim's net assets and with information about his or her general standard of living and crime-related expenses, the commissioner in

[7]Includes all persons not currently employed: students, housewives, retired, unable to work, and so on.

[8]See, for example, *1970 Fourth Annual Report of the Crime Victims Compensation Board*, Legislative Document No. 95, State of New York, p. 7.

[9]See Rule VIII 8, 9 of *Rules Governing Practice and Procedure Before the Crime Victims Compensation Board*. Albany: New York Crime Victims Compensation Board, 1967.

TABLE 3 Estimated numbers of personal victimizations in the United States, by offense and employment status of the victim at time of victimization, 1974

Offense	Employment status of the victim: Victim employed	Victim not employed	Victim less than 16 years of age[a]	Total
Rape	53,071 34%	80,122 51%	23,272 15%	157,066 100%
Robbery	806,645 50%	536,729 33%	277,330 17%	1,320,704 100%
Aggravated assault	915,363 62%	376,443 26%	183,804 12%	1,475,899 100%
Simple assault	1,235,047 57%	543,413 25%	385,478 18%	2,163,937 100%
Personal larceny with contact	252,301 51%	188,822 38%	51,469 10%	492,592 100%
Total	3,263,317 55%	1,725,529 29%	921,352 16%	5,910,199 100%

[a]Employment information was not collected in the NCS for persons less than 16 years old.

charge of the case is required to make what still remains a highly subjective determination of whether undue hardship exists. Not only is the "hardship" requirement vague, but—at least in New York—it is seemingly superfluous because relatively few claims are disallowed for lack of "need."[10] It is possible that victims who can not demonstrate financial need are more likely than needy victims to have their medical expenses and losses of earnings covered by other means (e.g., private insurance or workman's compensation). Therefore, they would be less likely to file a claim for compensable losses in the first place.

Although the National Crime Survey does not provide an abundance of information about the economic status of victims, it does report the annual family income[11] of each household interviewed. Table 4 displays total and crime-specific victimization rates by the annual family income of the victim. Clearly, it is the lowest income group that suffers both the greatest incidence and risk of total personal victimization, a pattern that generally holds, but is attenuated, in each of the five crime categories. Specifically, individuals with a total family income of less than $7,500 exhibit a rate of total personal victimization (46 per 1,000) that is 1 1/2 times greater than the rate for persons with family incomes of either $7,500 to $14,999 (32 per 1,000) or $15,000 or more (30 per 1,000). On the other hand, Table 4 shows that fewer than half (42 percent) of the total *number* of personal victimizations were suffered by individuals with family incomes of less than $7,500, so it is possible the majority of claims filed under a compensation program would involve victims with family incomes of $7,500 or more and that almost a quarter of the claims (22 percent) would involve victims with incomes of $15,000 or more. Compensation plan drafters may consider a financial need criterion relevant to some of those claims. Of course, medical costs and loss of earnings could be a financial strain even for families earning $15,000 or more annually.

[10] *1970 Fourth Annual Report*, op. cit. (Note 1), pp. 7-8.

[11] One adult member of the household—designated as the household respondent—is asked to report the income of all family members during the preceding 12 months. Family members include any relatives, 12 years old or older, who reside in the household.

Victim/Offender Relationship

The final victim-related factor to be examined here, the relationship of the victim to the offender, is of special significance to compensation schemes

TABLE 4 Estimated rates per 1,000 persons 12 years old or older and numbers of personal victimizations in the United States, by offense and family income of the victim, 1974

Offense	Family income of the victim: Less than $7,500 ($1,510,300)[b]	$7,500-14,999 ($6,946,100)	$15,000 or more ($1,392,000)	Total[a] ($58,848,400)
Rape	2[c]	1	0	1
	90,643[d]	34,686	20,653	145,983
	62%[e]	24%	14%	100%
Robbery	13	8	7	10
	692,895	491,845	299,474	1,484,214
	47%	33%	20%	100%
Aggravated assault	11	9	7	9
	570,755	555,867	292,445	1,419,066
	40%	39%	21%	100%
Simple assault	15	12	13	13
	783,701	748,107	520,237	2,050,044
	38%	36%	25%	100%
Personal larceny with contact	4	2	3	3
	210,881	145,618	107,855	464,354
	45%	31%	23%	100%
Total	46	32	30	36
	2,348,875	1,974,122	1,240,664	5,563,661
	42%	35%	22%	100%

[a]Excludes victimizations involving victims whose family incomes were not ascertained.
[b]Estimated number of persons 12 or older in category.
[c]Rate of victimization, per 1,000 population 12 or older.
[d]Estimated number of victimizations.
[e]Percent of row total.

because it appears as an eligibility criterion in nearly every statute that has been enacted. The concern that gave rise to the disallowance of claims by relatives of the offender was mentioned earlier. The data in Table 5 indicate that the concern is largely unfounded. In only 5 percent of 1974's 6 million personal victimizations were the victim and offender related.[12] The preponderance of those crimes involved only simple assault, a crime which, by definition, cannot involve serious injury to the victim. Thus, although planners may well have been correct in their assumption that relatives are involved in a fair number of possibly "criminal" disputes, it is doubtful that very many of these result in major injury. Furthermore, as will be shown later, very few of these kinds of cases emerge as compensable when the additional criteria of medical loss, loss of earnings, and notification of and cooperation with the police are applied to such crimes. However, one must remember that homicides are not included in the NCS data, and homicides are more likely to be committed by relatives than are the crimes shown in Table 5. Uniform Crime Report data show that 23 percent of the 20,600 murders and nonnegligent homicides in the United States in 1974 were committed by relatives of the victims (Kelley, 1975:19). Because homicides can result in rather large compensation claims, particularly for loss of support by the victim's dependents, the exclusion of crimes committed by relatives could have a major effect on program costs.

Consequences of Personal Victimization

Although the relation of various factors to the likelihood of victimization, *per se*, are of keen criminological interest, their relation to the *consequences*

[12]However, methodological studies indicate that crimes involving relatives as the offenders may be undercounted by victimization surveys. See, for example, LEAA, *San Jose Methods Test of Known Crime Victims*, 1972.

of victimization are more germane to this discussion. Before an attempt to estimate potential program costs is made, it is useful to get an overview of the consequences of personal victimizations and to preview some of the important measures of both consequences and cost upon which later sections of this report will rely. The National Crime Survey collects specific information about the extent of injury sustained, whether medical attention was required, the nature and cost of that attention, the proportion of the cost that was recouped by public or private insurance, and how much, if any, time was lost from work as a result of any personal victimization reported to the interviewer.

The Likelihood of Injury and Medical Attention

Figure 1 illustrates how victimizations that potentially involve compensation claims are filtered out of consideration once various injury criteria are applied. The "tree diagram" starts with the estimated number of personal victimizations in 1974 that involved contact between the victim and the offender. In only 38 percent of those victimizations did the offender "hit, knock down, or actually attack (the victim) in some way." Of the victimizations in which a physical attack occurred, about 70 percent resulted in an injury to the victim, but only 37 percent of the injurious victimizations required medical attention for the victim.[13] When medical attention was required, it was most often (74 percent) received in a hospital. The majority of hospital treatments (77 percent) were administered in emergency rooms, and only 23 percent involved an overnight or longer stay by the victim.

There are two percentages displayed on each branch in Figure 1. The first reflects the proportion of victimizations from the preceding branch that ended up in a subsequent branch. The second shows the proportion of total personal victimization with victim/offender contact that are in any particular branch. By examining the second percentage in each branch, one can see how rapidly the pool of potentially compensable victimizations decreases as injury criteria are added. Of the total victimizations that involved victim/offender contact (5,910,199), 27 percent resulted in some injury to the victim; only 10 percent required medical attention of some sort; hospital treatment was administered in 7 percent of the cases; and a hospital stay of overnight or longer occurred for only 2 percent of the victimizations.

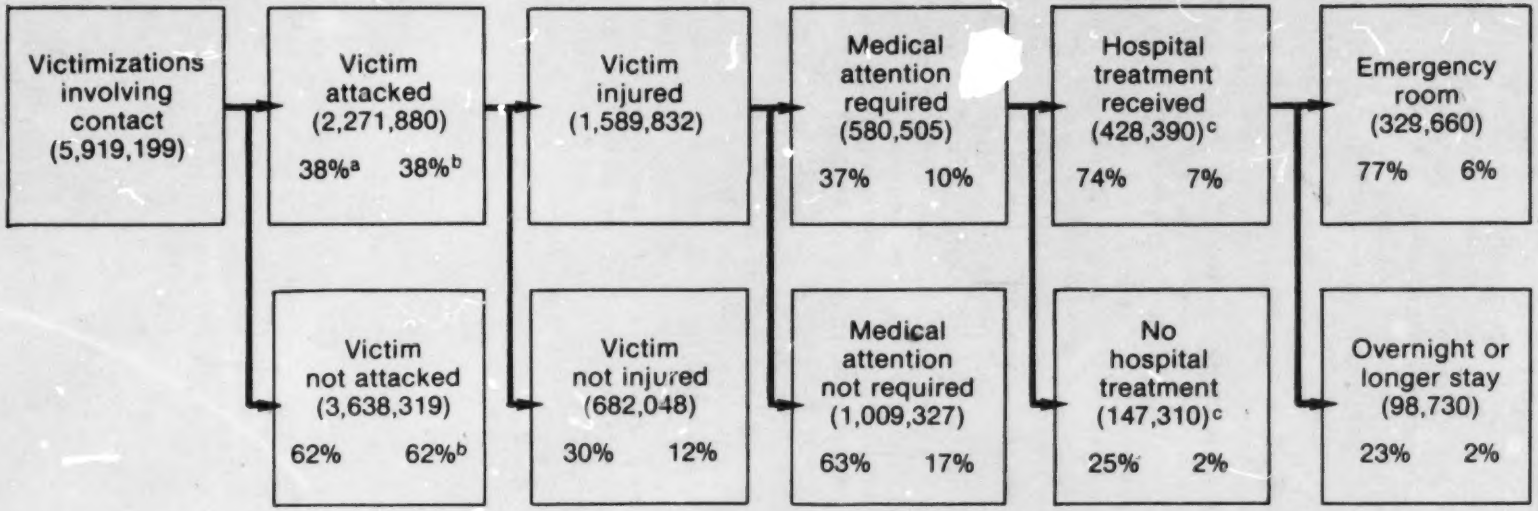
[13]Medical attention is defined as "care given by a trained professional medical person such as a doctor, nurse, medic, dentist, etc. either on the scene, at an office, in a hospital, clinic, etc."

TABLE 5 Estimated number of personal victimizations in the United States, by offense and victim/offender relationship, 1974

Offense	Victim/offender relationship		Total
	Victim related to offender	Victim not related to offender[a]	
Rape	6,215 4%	150,851 96%	157,066 100%
Robbery	51,969 3%	1,568,735 97%	1,620,704 100%
Aggravated assault	94,853 6%	1,381,046 94%	1,475,899 100%
Simple assault	156,422 7%	2,007,515 93%	2,163,937 100%
Personal larceny with contact	2,459 0%	490,134 100%	492,592 100%
Total	311,918 5%	5,598,281 95%	5,910,199 100%

[a]Includes cases in which the victim did not know the identity of the offender.

FIGURE 1 The extent of injury and medical attention
involved in personal victimizations, United States, 1974



[a]Based on number of victimizations in the preceding branch of the diagram.
[b]Based on total victimizations involving victim/offender contact (n-5,910,199).
[c]Information not ascertained in 4,805 cases.

Thus, even under the assumption that all of the victimizations resulting in any type of medical attention would be eligible for compensation, only 10 percent of the initial pool of victimizations in Figure 1 would qualify. Apparently, compensation programs set up to reimburse victims for injury-related losses can reach only a small proportion of all victims of personal crime.

The Cost of Medical Attention

By manipulating the data collected in the National Crime Survey, one can derive estimates of the actual dollar losses (both out-of-pocket medical expenses and the cost of work days lost) incurred by victims of personal crimes in 1974. In the first place, individuals who received medical attention were asked to report the *total* medical costs involved, as well as any amount that was paid by any kind of public or private medical insurance or health benefits programs, including Medicaid, Veteran's Administration Insurance, or Social Welfare programs. By deducting the latter from the former, a net medical cost figure was calculated, which represents the unreimbursed, or *out-of-the-pocket*, medical costs incurred by the victim.

Table 6 summarizes the total and net medical costs incurred during 1974 for those victimizations for which medical attention was required. Note that the numbers and percentages of victimizations falling into the total and net cost categories have been computed in two different ways. In the first total and net cost rows, cases for which medical costs were not ascertained are displayed separately. But the "not ascertained" category accounts for a large proportion of the victimizations (29 percent in the total cost breakdown and 35 percent for net cost) and makes estimation of potential compensation costs difficult. To remedy the problem, the victimizations in the "not ascertained" categories were allocated across the other categories in which the amount of loss was known. The results of the allocation are shown in the second rows of the total and net cost sections of Table 6. The "not ascertained" cases were allocated according to the distribution of cases in which costs were known. For example, 17 percent of the victimizations had total medical costs of $1 to $24 (with the "not ascertained" cases excluded altogether); accordingly, 17 percent of the cases in which total costs were not ascertained were allocated to the $1 to $24 category.

The allocation procedure used in Table 6 assumes that the distribution of medical costs for the "not ascertained" cases was similar to the distribution of cases in which costs were ascertained. However, it is expected that any departures from this assumption will cause an overestimate rather than an underestimate of actual costs. The reason is that victims who could not give an estimate of their medical expenses probably did not have to pay those expenses out of their own pockets. The costs may have been absorbed directly by a medical insurance plan without any intermediate billing of the victim, or the victim may have been treated at a free clinic, which is common in large urban hospitals. Another possibility is that, in some cases, the victims did pay the medical costs out of their own pockets but that the amounts were forgotten because they were small enough to be unimportant to the victims.

Examination of the Table 6 rows in which the "not ascertained" cases have been allocated reveals that 75 percent of the victimizations that required medical attention for the victim involved at least some medical expense. That figure, however, is considerably smaller when net costs are used; only 13 percent of the victimizations (less than 80,000 events) involved victims who incurred *any* unreimbursed medical costs. The distribution of unreimbursed medical costs is particularly interesting in light of the popular statutory requirements that victims suffer some *minimum* unreimbursed loss (usually $100) before they become eligible for compensation. The bottom row of Table 6 clearly shows that the preponderance of victimizations involving any out-of-pocket medical expenses fell into the relatively small-loss categories. Of those victimizations with victims who had to pay at least some medical expense personally (76,696 victimizations), 75 percent (57,520) involved expenses of less than $100.

In Table 7, the total dollar amounts of net medical expenses are estimated. The number of victimizations in each net cost category was taken from the bottom row of Table 6. The dollar cost at the midpoint of each category was then determined, and that figure was multiplied by the number of victimizations in the category to produce an estimate of the total net dollar cost for each category. The cumulative percentages of numbers of victimizations and total costs in Table 7 are especially interesting. Although net medical costs were $100 or more in 25 percent of the victimizations in which medical treatment was needed, that 25 percent accounted for 91 percent of overall net medical costs. Viewed from the other end of the cost distribution, of the $22.5 million unreimbursed medical costs, only 9 percent

TABLE 6 Estimated number of personal victimizations in the United States requiring medical attention by total and net medical costs[a] to the victim, 1974

	Medical costs										
	No cost	$1-24	$25-49	$50-99	$100-249	$250-499	$500-999	$1,000-4,999	$5,000 or more	Not ascertained	Total
Total cost:											
Not ascertained category retained[b]	104,114 18%	69,270 12%	59,315 10%	57,635 10%	53,115 9%	18,034 3%	17,426 3%	26,981 5%	7,987 1%	166,628 29%	580,505 100%
Not ascertained category allocated[b]	146,031 25%	97,157 17%	83,195 14%	80,839 14%	74,499 13%	25,295 4%	24,442 4%	37,844 7%	11,203 2%	— —	580,505 100%
Net cost:											
Not ascertained category retained[b]	329,042 57%	16,584 3%	11,472 2%	9,511 2%	7,591 1%	1,314 0%	1,169 0%	1,329 0%	1,121 0%	201,372 35%	580,505 100%
Not ascertained category allocated[b]	503,809 87%	25,392 4%	17,565 3%	14,563 3%	11,623 2%	2,012 0%	1,790 0%	2,035 0%	1,716 0%	— —	580,505 100%

[a]Medical costs include "doctor and hospital bills, surgeon's fees, emergency room expenses, ambulance service, service of a physical therapist and dentist fees, Also [included are] expenses for medicine and any kind of special devices or aids the victim was forced to obtain as a result of his injury, such as braces, dentures, eyeglasses, wheelchair, and artificial limbs."
[b]See text for explanation.

TABLE 7 Estimates of unreimbursed medical costs (net costs) incurred by victims, United States, 1974

	Net medical costs								
	$1-24	$25-49	$50-99	$100-249	$250-499	$500-999	$1,000-4,999	$5,000 or more	Total
Category midpoint	$12.50	$37.00	$74.50	$174.50	$374.50	$749.50	$2,999.50	$6,000.00[a]	NA
Number of victimizations[b]	25,392	17,565	14,563	11,623	2,012	1,790	2,035	1,716	76,696
Percent	33%	23%	19%	15%	3%	2%	3%	2%	100%
Cumulative percent	33%	56%	75%	90%	93%	95%	98%	100%	NA
Total cost in category[c]	$317,400	$649,905	$1,084,944	$2,028,214	$753,494	$1,341,605	$6,103,983	$10,296,000	$22,575,545
Percent	1%	3%	5%	9%	3%	6%	27%	46%	100%
Cumulative percent	1%	4%	9%	18%	21%	27%	54%	100%	NA

[a]Precise midpoint undefined because category is open-ended, but number of cases drop rapidly when expenses excede $5,000.
[b]Includes only victimizations with unreimbursed medical costs. Victimizations in which medical costs were not ascertained have been proportionally allocated to the displayed categories; see Table 6 and text.
[c]Number of victimizations in category multiplied by the category midpoint and rounded, where necessary, to the next highest dollar amount.

was incurred by victims of the less costly (net medical costs between $1 and $99) victimizations.

The numbers in Table 7 indicate that net medical costs were not equally distributed across the victims who had to pay them. The departure from an equal distribution is clearly illustrated in Figure 2. The theoretical line represents a situation in which net medical costs would be distributed equally across all victimizations in which such costs were incurred. The curved line depicts the actual distribution of costs found in Table 7. The size of the area between these two lines denotes the extent to which the actual distribution departs from an equitable distribution; in Figure 2, this departure is striking.

Measuring the Extent and Value of Time Lost From Work

Although figures on the extent and value of time lost as a result of victimization are not as easily derived as were net medical costs, they are calculable. Before addressing survey findings, however, it is important to discuss some of the measurement problems that arise at this point.

In the first place, the NCS questions addressing the amount of work-time lost are not optimally worded for purposes of estimating the cost of reimbursing the victim or the victim's family for loss of earnings or support as a result of a personal victimization. For example, the questions asked of victims were: "Did *any* [How many] household member lose any time from work because of this incident?" and "How much time was lost altogether?" It is impossible to determine precisely what proportion of those who were reported to have lost time from work were actually the victims, rather than other family members who may have taken time off to stay home with the victim, to drive the victim to the hospital or to court, and the like.

Table 8 does shed some light on the issue and should allay concerns along this line. Focusing on those personal victimizations that resulted in any household member losing time from work, we see that 90 percent of them involved a loss of work time on the part of only *one* person: it is a safe presumption that in nearly all the cases that person was the victim. Furthermore, no more than two persons were recorded as having lost time from work in what is essentially the balance (9 percent) of all victimizations resulting in any loss of work time. There is one other indication that the time lost from work data reflect experiences of victims rather than of other family members. Of those victimizations resulting in at least some time lost from work, 83 percent involved victims who reported that they were employed at the time of the crime. In contrast, the figure among all victims of personal crimes was shown earlier (Table 2) to be 55 percent. Of course, to the extent that those losing time from work were not, themselves, victimized, our estimates of *compensation costs* will be inflated slightly.

A second problem in estimating compensatory costs arises from the lack of specification about the *reasons* for absence from work, Unfortunately, the survey does not distinguish between work-time lost because of medical reasons and absences required by court appearance(s). Although compensation programs generally concede the compensability of any loss of earnings arising out of the hospitalization or physical disability of the victim, it is at least questionable that they would rule favorably on a claim for compensation of time spent with police, at a lineup, or in the courtroom, even though one of the espoused aims of the program is to encourage interaction and cooperation with official law enforcement agencies.

Yet, the survey does enable us to make some reasonable *inferences* about the nature of work absences resulting from victimizations. Table 9 illustrates that in the more than 5 million personal crimes that resulted in no time lost from work, medical attention was required in only 7 percent of the crimes and hospital treatment in 5 percent. The percentages are not much higher for those crimes that resulted in less than one day of time lost from work. But as one examines victimizations with more work-time lost, the percentages requiring medical attention and hospital treatment increase rapidly; for example, hospital treatment was required for 77 percent of the personal victimizations that resulted in more than 10 days lost from work. Table 9 indicates that work absences are very closely tied to crime-induced injuries, but it also implies that there are many victimizations for which time lost from work cannot be attributed to injuries. To the extent that work absences are not crime related, the cost estimates produced here will be overestimates for compensation programs that only permit reimbursement of earnings when the time lost from work is a direct result of injuries incurred during the victimization.

Having addressed these limitations, one is still faced with what is perhaps the most difficult problem, the computation of an actual dollar amount for work days lost. Although the NCS does not directly address the value of time lost from work, it does provide a sufficient amount of pertinent information to enable the reasonable estimation

FIGURE 2 Distribution of net medical expenses
resulting from personal victimizations, United States, 1974

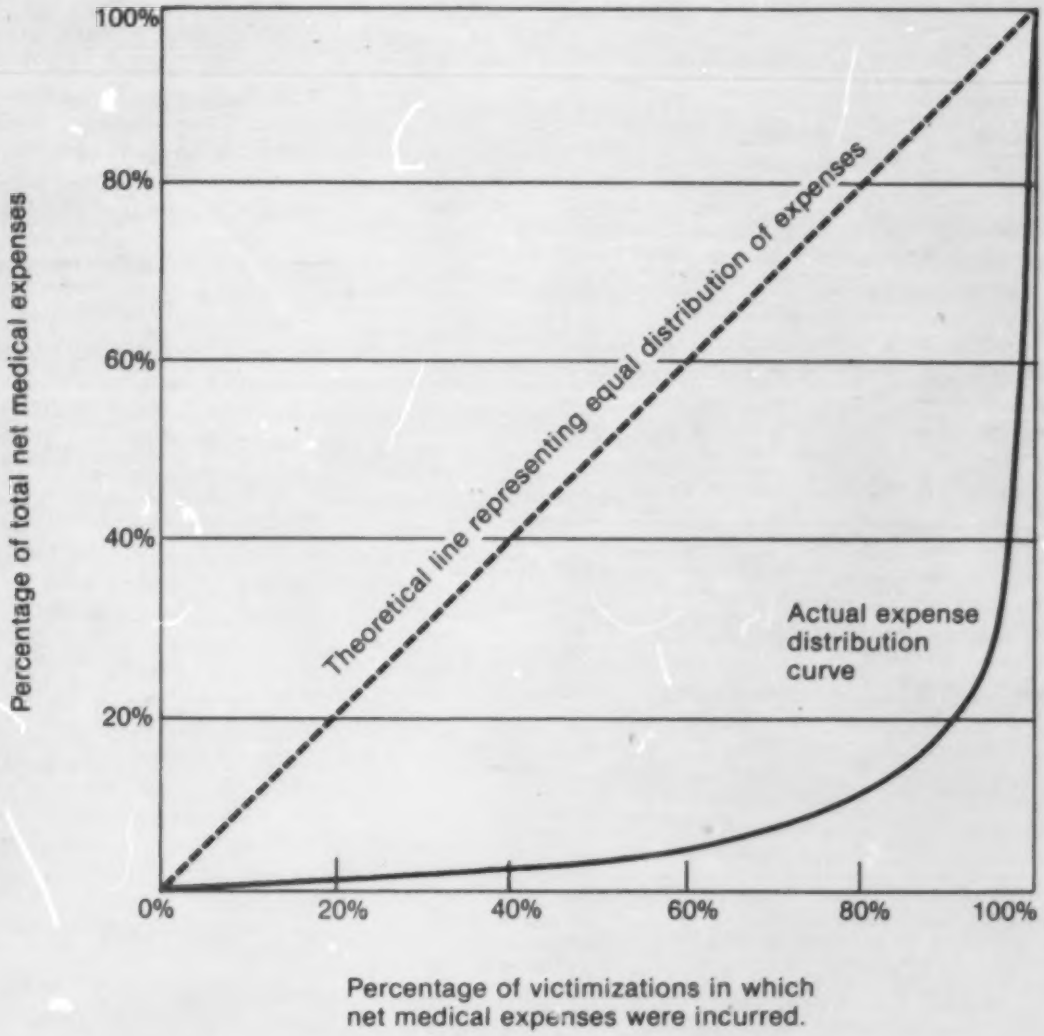


TABLE 8 Estimated number of personal victimizations in the United States
resulting in someone losing time from work, by number of people losing time from work, 1974

Total victimizations in which some lost time from work	Number of persons losing time from work		
	One	Two	Three or more
583,530	526,293	54,190	3,047
100%	90%	9%	1%

of that figure. By dividing the annual family income (which in most cases represents the income of a single person) by the number of work days in a year (252), the value of a single work day for each respondent can be approximated. Then, by multiplying that figure by the number of days lost from work, a reasonable estimate of the value of work time lost as the result of personal victimizations can be derived.[14] For example, an employed individual with a family income of $10,500 reports that as the result of a robbery during which he was injured he lost two days from work. The midpoint of the family income category in which $10,500 falls is $11,000. Dividing the midpoint by 252 yields a work-day value of $43.65. Multiplying that figure by the midpoint of the category containing two work days lost (midpoint = 3) yields a total of "loss" of earnings of $131 for that individual.

One problem remains: this method does not necessarily produce an appropriate estimate of the total amount of income actually *lost* because there is no good way of discerning what proportion of work-time lost was reimbursed by worker's compensation, public or private disability insurance, and the like. Although the estimates generated are still of vital interest to those concerned with the cost of crime in a social or aggregate sense, a downward adjustment will be applied later in the report when an attempt is made to pull all of the data together into a model that will produce cost estimates of compensation programs. For now, the estimates of earning losses will be presented with the understanding that they probably represent overestimates of the direct costs incurred by victims.

In Table 10 the victimizations that resulted in some time being lost from work are divided into categories reflecting the value of the time lost. Dollar values were computed according to the method outlined above. Unlike the situation with respect to medical costs (Table 6), work days lost information was not ascertained for only a small proportion (1 percent) of respondents; these cases have been excluded from Table 10. However, family income data were not ascertained for a substantial number of cases. Cases for which the number of work days lost was known but for which family income was not ascertained have been proportionately allocated across the relevant rows in Table 10. For example, family income data were not ascertained for 9,521 of the 98,002 victimizations that resulted in more than 10 work days lost. Three percent of those 9,521 cases were allocated to the $50-99 dollar value category, 22 percent to the $100-249 category, and so on.

The bottom row in Table 10 shows that, although there is a pronounced decline in the proportion of cases in the very high dollar loss categories, a substantial proportion of victimizations in which work days were lost proved to be quite costly.

[14]Figures for annual family income and number of days lost are only estimates because survey interviewers were required to record responses into 13 income categories and 4 number-of-days-lost categories. Wherever possible, midpoints of the categories were used in all computations for loss of earnings, but some arbitrary designations were necessary: a value of .5 was assigned to the "less than one day" work time lost category; the "over 10 days" category was given a value of 15; the "under $1,000" income category was assigned a value of $500; the "$25,000 and over" category was designated as $30,000.

TABLE 9 Percentages of personal victimizations resulting in medical attention and hospital treatment
by time lost from work, United States, 1974

Time lost from work	Medical attention required?		Treatment at hospital?		Number of victimizations[a]
	Yes	No	Yes	No	
No time lost	7%	93%	5%	95%	5,323,587
Some time lost					
Less than 1 day	9%	91%	6%	94%	157,680
1 to 5 days	34%	66%	26%	74%	283,516
6 to 10 days	57%	43%	39%	61%	36,184
More than 10 days	84%	16%	77%	23%	98,002

[a]Excludes cases in which time was lost from work but for which the amount of time lost was not ascertained.

In fact, for half of the victimizations the dollar value of work time lost was $100 or more.

Like Table 7, which displays net medical costs, Table 11 displays estimates of the aggregate dollar values of work days lost. Again, the total dollar values were computed by multiplying the category midpoints by the number of victimizations in the categories. The cumulative percentages in Table 11 show that almost half of the victimizations resulted in time lost from work valued at less than $100, yet these same victimizations accounted for only 9 percent of the total dollar value of time lost.

Continuing to parallel the analysis of net medical costs, Figure 3 illustrates the unequal distribution of losses stemming from work time missed. The area between the theoretical and actual distribution lines in Figure 3 indicates that dollar values of work time losses were not equally distributed across the victimizations in which such losses occurred. However, the disparity shown in Figure 3 is not as great as the disparity in the distribution of net medical costs that was shown in Figure 2.

Many operating victim compensation plans will only compensate for time missed from work if there are at least 2 weeks continuous loss of earnings (i.e., at least 10 work days missed). Unfortunately, the NCS categorization of days lost from work does not allow us to divide the sample according to whether victims lost *10 or more days* from work; the dividing line of *more than 10 days* is the best approximation available in the data. Table 12 shows the number of victimizations and dollar values of days lost according to whether the victimization resulted in more than 10 or in 10 or fewer days lost. The victimizations with compensable losses or earnings account for only 17 percent of the victimizations in which time was lost from work, but the dollar value involved in these victimizations (about $50 million) amounts to nearly half of the total dollar value of time lost from work. Thus, although a 2- week continuous loss requirement appears to cut potential program costs in half it does so at the expense of disallowing more than 80 percent of all potential claims for loss of earnings. Recalling that the $113 million total loss of earnings figure is a liberal estimate in the first place, that a considerable number of individuals reporting loss of earnings were no doubt eligible for (and duly compensated by) a variety of public and private insurance schemes including worker's compensation, that many of the cases would be deemed ineligible for compensation for a variety of reasons, and that the ultimate cost figure is distributed over the 50 States and the District of Columbia, then the financial prospects for public reimbursement for crime-related loss of earnings has to be less forbidding than might have been expected.

Implications of the Unequal Distributions of Medical Costs and Loss of Earnings

The two preceding sections have shown that neither net medical costs nor loss of earnings resulting from criminal victimizations are equally distributed across the victimizations in which such losses are incurred. In both cases, a small minority of victimizations account for a disproportionate share of the losses; that is, most victimizations result in relatively small losses. This situation was especially apparent in Tables 7 and 12, which showed how victimizations and losses were distributed in terms of the conventional minimum loss criteria (at least $100 net medical costs or at least 10 work days lost) used in victim compensation programs. The unequal distributions of loss present compensation program designers with an important policy issue.

On one hand, minimum loss requirements can be invoked so that relatively few victims who incurred substantial losses would be compensated. For example, Table 7 showed that the inclusion of a minimum net medical loss requirement of $100 would allow compensation of about 90 percent of the total net medical *costs* incurred by victims, but would only permit compensation of victims in 25 percent of the *cases* in which net medical costs were incurred. This approach has the advantage of allowing distribution of substantial monetary amounts of compensation funds while keeping administrative costs at a minimum (because relatively few cases must be processed).

On the other hand, a minimum loss requirement can be set very low or eliminated altogether. This would increase the victim *losses* that the compensation plan would be obligated to cover by only a small amount, but would create a substantial increase in the number of *victims* eligible for compensation, thus increasing the relative amount of program funds that would be devoted to administrative costs rather than to compensation payments. In many cases (e.g., net medical costs of less than $25) the administrative costs of processing the claim might exceed the amount of loss incurred by the victim. However, this approach might be justified by the goal of increasing citizen cooperation with and faith in the criminal justice system, a goal that would appear to require bringing as many victims as possible within the coverage realm of the compensation program.

TABLE 10 Estimated number of personal victimizations in the United States resulting in some loss of work time, by number and value of work days lost, 1974

Number of work days lost	Dollar value of time lost[a]								
	$1-24	$25-49	$50-99	$100-249	$250-499	$500-999	$1,000-1,499	$1,500-1,999	Total
Less than 1	94,517 60%	56,420 36%	6,743 4%	—	—	—	—	—	157,680 27[b]
1 to 5	18,675 7%	21,500 8%	71,517 25%	140,731 50%	31,093 11%	—	—	—	283,516 49%
6 to 10	—	1,348 4%[c]	—	16,159 45%[c]	8,800 24%[c]	4,442 12%[c]	5,435 15%[c]	—	36,184 6%
More than 10	—	—	2,984 3%	21,622 22%	37,127 38%	27,692 28%	7,227 7%	1,350 1%	98,002 17%
Total	113,192 20%	79,268 14%	81,244 14%	178,512 31%	77,020 13%	32,134 6%	12,662 2%	1,350 0%	575,382 100%

[a]See text for method of computation. Cases in which the victim's family income was not ascertained have been proportionally allocated across cases which had the same number of days lost and in which income data was available.
[b]Column percent.
[c]Percent computed on base that contains 50 or fewer sample cases.

TABLE 11 Estimated value of time missed from work as a result of personal victimizations in the United States, 1974

	Dollar value of time lost								
	$1-24	$25-49	$50-99	$100-249	$250-499	$500-999	$1,000-1,499	$1,500-1,999	Total
Category midpoint	$12.50	$37.00	$74.50	$174.50	$374.50	$749.50	$1,249.50	$1,749.50	NA
Number of victimizations	113,192	79,268	81,244	178,512	77,020	32,134	12,662	1,350	575,382
Percent	20%	14%	14%	31%	13%	6%	2%	0%	100%
Cumulative percent	20%	34%	48%	79%	92%	98%	100%	100%	NA
Total value of time lost	$1,414,900	$2,932,916	$6,052,678	$31,150,344	$28,843,990	$24,084,433	$15,821,169	$2,361,825	$112,662,255
Percent	1%	3%	5%	28%	26%	21%	14%	2%	100%
Cumulative percent	1%	4%	9%	37%	63%	84%	98%	100%	NA

FIGURE 3 Distribution of earnings losses
resulting from personal victimizations, United States, 1974

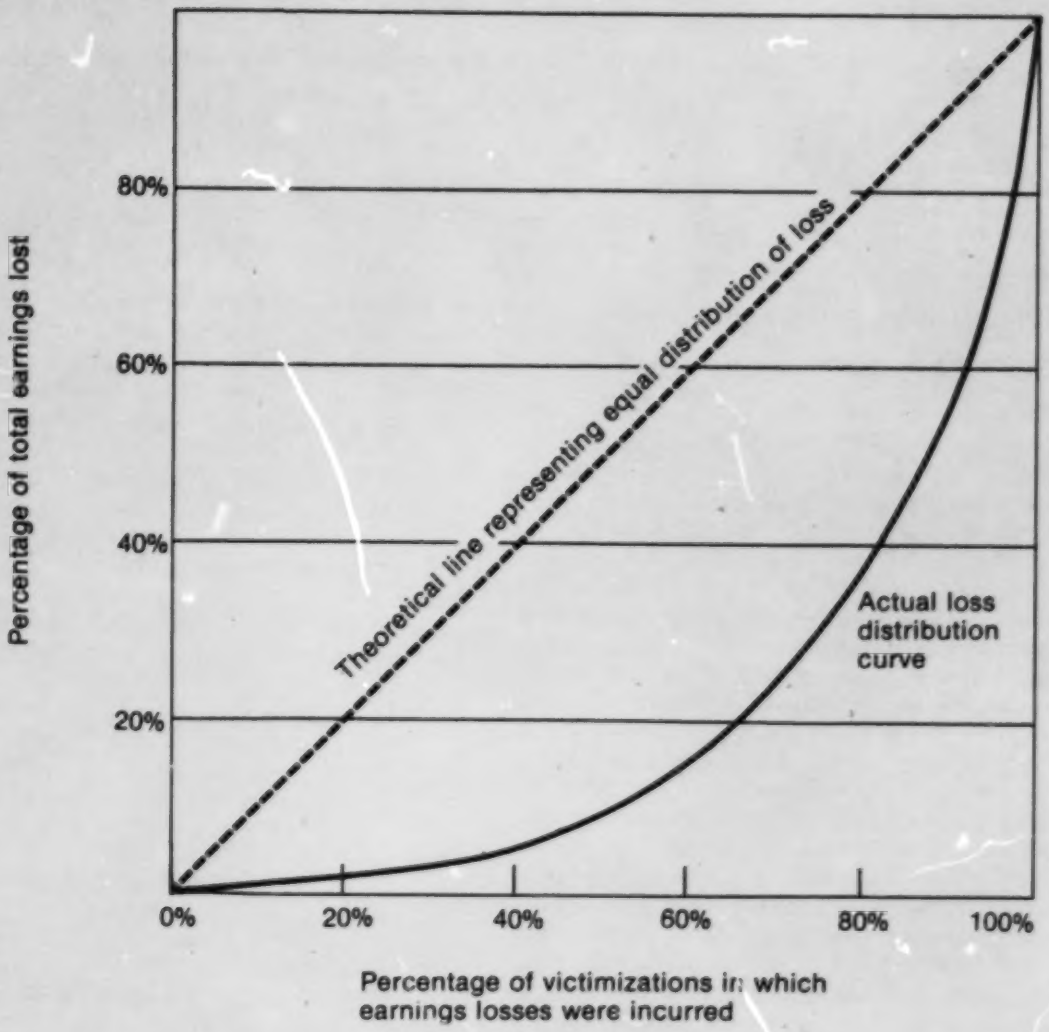


TABLE 12 Estimated numbers and costs of victimizations involving 10 or less and more than 10 days lost from work; United States, 1974

	Work days lost		
	10 or less	More than 10	Total
Number of victimizations	477,380	98,002	575,382
Percent of victimizations	83%	17%	100%
Dollar value of days lost	$62,615,731	$50,046,524	$112,662,255
Proportion of total dollar value	56%	44%	100%

The Cost of a Typical Compensation Program

One of the most direct questions that can be asked of a proposed victim compensation program is, how much will it cost? A corollary question is, how many claims will it allow and disallow? This section will examine these questions directly.

Though not impossible, it is impractical to generate estimates of claims and costs based on *every* conceivable configuration of eligibility factors, even assuming that the analysis be limited to those factors that can be addressed with the NCS data. Consequently, this analysis will assume the most universal of current compensable loss and eligibility criteria. First, the victim must have sustained some kind of physical injury as a result of the crime. Second, the crime must have been reported to the police. Third, the crime must not have been committed by a relative of the victim. Finally, as a consequence of the injury, the victim must have incurred at least $100 worth of medical expenses that were not paid by any form of public or private insurance plan and/or the victim must have had an unreimbursed loss of earnings for two continuous weeks (missed at least 10 days of work).

Although there is little way of knowing what proportion of otherwise eligible claims might be disallowed for lack of "serious financial hardship," it was shown earlier (Table 4) that the preponderance of personal victimizations involved victims who reported annual family incomes of less than $15,000. It would be reasonable to assume, therefore, that the overwhelming majority of claims that qualified in terms of the above-mentioned criteria would meet the needs test, as well.

Earlier (in Figure 1) it was shown that a relatively small proportion of victims of crimes involving contact with the offender actually reported being physically injured. Figure 4 starts with the estimated 1.5 million victimizations that resulted in physical injury to the victims and traces the ways in which they are filtered through typical victim compensation eligibility criteria.

The first division in Figure 4 shows that almost two-thirds (64 percent) of the victimizations did not require medical attention for the victim. These victims could still qualify for compensation of earnings lost as a result of their injuries but only if they missed at least two consecutive weeks of work as a result of the victimization. Of the approximately 1 million victimizations in which an injury occurred but medical attention was not required, fewer than 1 percent (2,584) involved a victim who might have been eligible for compensation of lost earnings. None of those victimizations would have been disqualified under the non-reporting and victim/offender relationship criteria.

The other side of Figure 4 traces the outcomes of those 580,505 victimizations in which medical attention to the victim was required. The minimum net medical expense criterion of $100 was met in only 3 percent of the cases (19,174 victimizations).[15] Even if net medical expenses were less than $100, the victim still could be eligible for compensation if the injury resulted in the victim's losing two consecutive weeks of earnings; this situation reportedly occurred in 118,481 victimizations, and about 100,000 of those victimizations survived the non-reporting and

[15]Actually, of the 580,505 victimizations requiring medical attention, net medical expenses were not ascertained for 201,373 (see Table 6). The branching network was formed on the basis of those cases for which information was available; the "not ascertained" cases were then allocated through the remainder of the branching network using the percentages that resulted from analysis with the cases having full information available.

victim/offender relationship tests. In assessing that figure, however, one must keep in mind the caveats about the way days lost from work is measured in the NCS: some of the days may have been lost by family members other than the victim; some of the days lost may be attributable to causes other than the injury suffered in the victimization (e.g., appearing in court); and the victim may have been reimbursed for all or part of the lost earnings through Workers' Compensation or some other plan. These caveats force us to treat the 100,000 figure as an upper limit of eligible victimizations in this branch of the tree diagram.

The last major portion of Figure 4 deals with those victimizations in which net medical expenses were $100 or more (19,174 victimizations). In these cases, 41 percent of the victims would be eligible for additional compensation under the loss of earnings criterion. Another 31 percent of the victimizations with net medical costs of $100 or more involved days lost from work, but the number of days lost was not enough to qualify for additional compensation. In these two subgroups (13,830 victimizations), none of the cases would have been disqualified for failure to report to the police or for involving a relative as the offender. The final subgroup derived from victimizations with net medical expenses of $100 or more involved no time lost from work (5,344 victimizations). It is probably safe to assume that most of the victims in these cases were still in school, retired, or keeping house. Although the victims all reported that the police had been informed of the incident, the victim and offender were related in one-third of the cases in this subgroup, thus disqualifying them from compensation.

To sum up Figure 4, more than 1.5 million victimizations involved physical injury to the victim. This already represents a considerable drop from the almost 6 million rapes, robberies, aggravated assaults, simple assaults, and larcenies with contact that were reported to interviewers in the 1974 NCS. Of the 1.5 million, 92 percent (1,469,741 victimizations) would not qualify for compensation: 91 percent (1,449,593 victimizations) did not meet minimum net medical expense or loss of earnings criteria, and only 1 percent (20,148 victimizations) failed to qualify because the police were not notified or the offender was a relative, even though the minimum loss requirements were met. This leaves only 8 percent (120,091 victimizations) of the events that involved injury qualifying for compensation under typical statutory criteria.

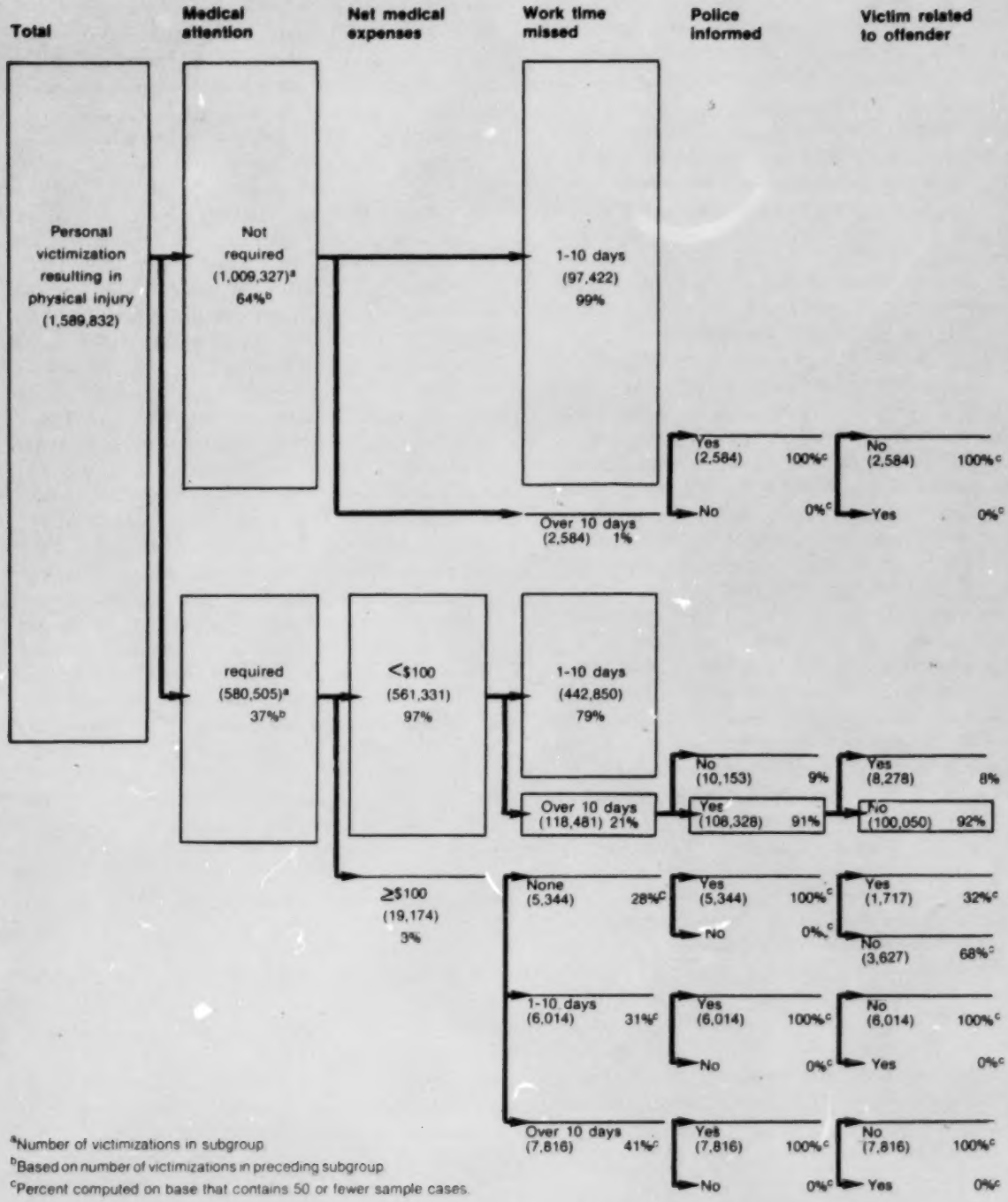
Table 13 shows the estimate of the total costs of setting up a national program to compensate victims of violent crime (excluding homicide for the moment) under several eligibility conditions. Net medical costs have been computed as in previous tables but loss of earning figures have been reduced by half from previous computations. The 50 percent reduction rate was chosen arbitrarily to represent losses of earnings that would be reimbursed through workman's compensation, sick pay benefits, and other such plans outside the victim compensation realm. Actually, such plans could be expected to cover *more* than half of lost earnings, so the 50 percent reduction probably results in an overestimate of the cost to a victim compensation program.

Retaining the $100 net medical cost and 10 work days lost minimums would result in a cost of about $45 million, but only a small proportion of the events that resulted in direct costs to the victims would be covered (25 percent of the victimizations involving some net medical costs and 17 percent of those involving some time lost from work). Making the eligibility criteria more liberal ($50 net medical cost or more than 5 work days lost) would increase program costs to a little less than $55 million but would still provide coverage for less than half of the victimizations with either net medical costs or time lost from work. Finally, by dropping minimum loss requirements altogether, all of the victimizations with some losses would be covered at a cost of about $79 million. Note, however, that Table 13 deals only with those victimizations that involved either net medical expenses or days lost from work. This limits the table to a very small proportion of the almost 6 million NCS personal victimizations at the very outset. Furthermore, the cost estimates in Table 13 do not include the costs of administering the compensation program.

Adjusting Estimates Downward

A number of important adjustments would have to be applied to these figures if one desired to make a more accurate estimate of all compensable losses incurred as a result of personal crime. For one thing, the figures in Table 13 have not been reduced by eliminating cases that were not reported to the police and cases in which the victim and offender were related. Although these criteria were found to have negligible impact on the victimizations in Figure 4 that met typical minimum loss requirements, lowering or eliminating minimum loss requirements could make the two criteria more important. This is especially true for reporting to the police because less serious victimizations are less likely to be reported to the police (Hindelang and Gottfredson,

FIGURE 4 Determination of victim eligibility for compensation
according to popular statutory criteria, United States, 1974



[a]Number of victimizations in subgroup
[b]Based on number of victimizations in preceding subgroup
[c]Percent computed on base that contains 50 or fewer sample cases.

TABLE 13 Estimated amounts of medical and earnings reimbursements required for national victim compensation programs using three different minimum loss criteria; United States, 1974

	$100 minimum net cost	$50 minimum net cost	No minimum net cost
Medical reimbursements:			
Program cost	$20,523,296	$21,608,240	$22,575,545
Percent and number of cases[a]	25% (19,176)	44% (33,739)	100% (76,696)
	More than 10 days lost minimum	**More than 5 days lost minimum**	**No minimum days lost**
Earnings reimbursements:			
Program cost[b]	$25,023,262	$33,166,029	$56,331,127
Percent and number of cases[c]	17% (98,002)	23% (134,186)	100% (575,382)

[a]Based on total number of victimizations involving some net medical costs.
[b]Costs previously computed (e.g., in Table 12) have been arbitrarily discounted by 50 percent to account for reimbursement through Workers' Compensation, sick pay, and other sources.
[c]Based on total number of victimizations involving some time lost from work.

1976). On the other hand, the inducement of potential compensation may operate to raise the proportion of less serious victimizations that are reported to the police.

It is also possible that some of the victimizations included in the cost estimates would have been disallowed for reasons not measured in the NCS, for example, the victim's culpability in precipitating the crime or failure of the victim to cooperate with the authorities (beyond merely reporting the crime to the police). Furthermore, the existence of maximum allowances must not be overlooked. As was shown in Table 1, most programs compensate medical and income losses only up to a specified level per claim. Therefore, costs per claim in excess of that amount would have to be deducted from the estimates.

Particularly relevant is the general restriction on the repayment of loss of earnings. Although such losses may be compensable up to a rather high maximum amount, few persons incurring such a loss would receive reimbursement in full, for reimbursement generally is paid according to the number of *weeks* absent from work, with a common maximum allowable *weekly* payment of $100. That rate of payment is tantamount to an annual salary of only about $5,000. Because the NCS data do not reveal precisely how many weeks of work were missed by persons reporting having missed more than 10 days, it is impossible to calculate the cost of reimbursing these losses at the rate of $100 per week. But there is evidence that, were reimbursable losses figured in this fashion, program costs would be substantially lower than the estimates reported in Table 13. The problem implied by the lower compensation schedule is evident in Table 10. According to the $100 per week rate of repayment, persons who lost from six to ten days work time would have been eligible to receive a *maximum* of only $200, yet Table 10 shows that more than half (51 percent) of the victimizations in that group resulted in actual losses of earnings of $250 or more.

Adjusting Estimates Upward

An accurate projection of compensation program costs also requires some increases in the estimates in Table 13. For example, the NCS does not attempt to measure crimes committed against youths who are less than 12 years old. Unreimbursed medical costs for qualified cases falling into that category would have to be added to any estimate, but the amount involved is probably relatively small. A more costly addition would be an attempt to reimburse victims not working at what has been defined traditionally as a job for loss of "productive time." In particular, this would involve reimbursement of housewives for child care expenses and for other household tasks that could not be performed. Again, however, the increase might not be overwhelming because of the low rate of victimizations suffered by females in comparison to males; for example, about two-thirds (66 percent) of the rape,

robbery, and aggravated assault victims in the NCS were male.

Estimates can be made for two of the most important adjustments that are necessary to produce realistic cost projections. First, the NCS's exclusion of homicide can be dealt with. Most existing compensation programs provide for several types of payment to a homicide victim's family: loss of support payments, funeral expenses, and medical expenses (if the victim did not die immediately). Survivors' claims are also restricted by the same criteria as other claims: the victim cannot have been related to the offender; the victim must not have precipitated the attack; and the police must have been notified. Because "victim-precipitation" is difficult to assess, and because non-reporting is seldom an issue in homicides, the 20,600 U.S. homicides recorded in the Uniform Crime Reports will be taken. After deducting the 23 percent reportedly involving relatives (Kelley, 1975:19), it will be assumed that the remaining 15,862 are eligible for compensation.

Projecting the actual national *cost* of compensation for homicides is somewhat more difficult. Existing compensation programs generally set a maximum for payable benefits (generally $10,000 or more), but indications are that amount paid on any one claim does not reach that amount in a single year. During 1975, for example, the average homicide claim under the New York State compensation program resulted in a payment of about $2,500 (New York Legislative Commission on Expenditure Review, 1975:47). Maintaining the practice of consistently overestimating costs so that maximum projections can be made, a $5,000 average payment per claim for 15,862 homicides in 1974 will be used. This adds about $79 million to the projections.[16]

The second major upward adjustment that can be made involves the cost of administering the program. Federal government support for State compensation programs could be limited to reimbursing the States only for payments made to victims, with the States assuming the administrative costs of screening and processing victim claims. Nevertheless, administrative costs will exist regardless of who pays them, and an effort will be made to incorporate those costs into the projections. In the period 1974-1975, the costs of administering 8 existing State victim compensation programs ranged between 12 and 66 percent of the amounts paid by the States to victims.[17] In our projections, it will be assumed that such a percent will be higher for a program with loose eligibility criteria than for a program with stringent criteria because cases involving small amounts of victim reimbursement add much more to the total caseload than they do to the total dollar amount paid out to victims. Thus, administrative costs will be estimated at 15 percent of claim payments for a program that sets minimum loss requirements of at least $100 net medical expenses or more than 10 days lost from work; with minimums of $50 net medical or more than 5 work days, a figure of 30 percent will be used; without any minimum loss criteria a figure of 65 percent will be used.[18]

Projected National Costs

Table 14 summarizes the projected costs of a national victim compensation program under three conditions: (a) "stringent" minimum loss criteria of at least $100 net medical expenses or more than 10 days lost from work, (b) "moderate" criteria of at least $50 net medical expenses and more than 5 days lost from work, and (c) no minimum loss criteria. The medical and earnings reimbursement amounts were taken from Table 13. The cost of claims arising from homicides is assumed to be the same under each program condition, and the amount was computed in the manner discussed above. Administrative costs were computed on the basis of the percentages mentioned in the preceding paragraph.

All of the components that went into deriving the total projected costs in Table 14 were deliberately overestimated. Because some of the program costs can only be approximated with the NCS data, the purpose has been to try to develop a *maximum* cost projection. Throughout this report, frequent note has been made of the reasons why

[16]Actually, after a program has been in operation for several years, there would be more homicide claims being paid during a year than the number of claims approved for homicides that occurred during that year. This is because death benefits generally are not paid in one lump sum: they are usually paid in installments over a number of years. Therefore, "old" claims would tend to accumulate during the early years of a program before their numbers stabilize. This is another reason for overestimating the cost per claim in the projections.

[17]Derived from figures presented in the New York Legislative Commission on Expenditure Review (1975), p. 45.

[18]These estimates were derived, for the most part, from programs that had been operating for at least several years. Administrative costs would probably be relatively higher than indicated here during the first year or two of operation.

these estimates are very liberal. The total cost projections, then, should be interpreted as upper limits of program costs.

A Cautionary Note

The cost projections in Table 14 are affected by a number of assumptions and limitations that have been discussed at various places in this report. As a convenient aid to interpreting Table 14, the main assumptions and limitations are summarized here:

(1) The victimization information consists of estimates derived from sample data, and therefore, the results are subject to sampling error.

(2) Only the crimes of homicide, rape, robbery, assault, and larceny from the person are included.

(3) With the exception of homicide, victimizations of persons less than 12 years old are not included.

(4) Some of the NCS questionnaire items (such as family income and number of work days lost) were coded into categories, and it was necessary to use category midpoints in assigning values to individual respondents. Furthermore, some of the categories were open-ended, and it was necessary to assign an arbitrary "midpoint" value to such categories; for example, the category for more than 10 days lost from work was assigned a value of 15.

(5) It was assumed that, in victimizations for which the actual medical expenses were not ascertained by the interviewer, the actual medical expenses were distributed in the same way as they were in victimizations for which medical expenses were ascertained.

(6) Whenever time lost from work was reported to the interviewer, it was assumed that it was the victim who lost the time and that the loss resulted from injuries suffered in the victimization.

(7) With the exception of homicide, it was assumed that none of the victimizations meeting medical or earnings loss criteria would be disqualified on other grounds (such as failure to report the crime to the police).

(8) Fifty percent of the earnings losses in non-homicide victimizations were assumed to be covered by worker's compensation, sick pay benefits, or some other form of reimbursement.

(9) Reimbursements for loss of earnings were computed on the basis of the victim's family income, and no allowance was made for a maximum loss of earnings reimbursement figure such as $100 per week.

(10) No provision was made for reimbursement for the time lost by victims, such as housewives or students, who were not employed in what are traditionally defined as jobs when they were victimized.

(11) A $5,000 annual compensation cost per homicide was assumed.

(12) The ratio of administrative costs to claim payments were assumed to be .15, .30, and .65 in the "stringent," "moderate," and "no minimum" conditions, respectively.

TABLE 14 Estimated total costs of national victim compensation programs using three different minimum loss criteria; United States, 1974

	Stringent minimum loss criteria[a]	Moderate minimum loss criteria[b]	No minimum loss criteria
Medical reimbursements	$20,523,296	$21,608,240	$22,575,545
Earnings reimbursements	$25,023,262	$33,166,029	$56,331,127
Death claims from homicides	$79,310,000	$79,310,000	$79,310,000
Subtotal	$124,856,558	$134,084,269	$158,216,672
Administrative costs	$18,728,484	$40,225,281	$102,840,837
Total costs	$143,585,042	$174,309,550	$261,057,509

[a]Minimum net medical expense of $100 or more than 10 days unreimbursed work-time lost.
[b]Minimum net medical expense of $50 or more than 5 days unreimbursed work-time lost.

Conclusions

> Forecasting the cost of victim compensation programs is a task that should be taken on with great trepidation. Conclusions must always be qualified, because our data are derived from very little actual experience .... Differences in the statutory framework and administration (and) a low level of public awareness of the existence of the programs raises a question as to the accuracy of any prediction (Edelhertz and Geis, 1974: 288).

One might think that Edelhertz and Geis' admonition might have better introduced than concluded the efforts here. Their point is appropriate insofar as it applies to projections derived from experiences of operational victim compensation programs, for precisely the reasons enumerated: statutory criteria and administrative procedures do vary, although not radically; crime rates do differ substantially from one jurisdiction to another; the level of public awareness is low. In fact, *were* one bound to issue projections on the basis of such scanty and imprecise data as that on which previous estimates were formed, then the admonition would grossly understate the problem.

This analysis has the good fortune, however, not to be so bound. The National Crime Survey, undertaken by the Law Enforcement Assistance Administration through the Bureau of the Census in 1972, was designed to amass an unprecedented wealth of data describing the nature, extent, costs, and consequences of criminal victimization in the United States. This new source of information overcomes many of the limitations of official police reports and victim compensation program records.

Whereas police records fail systematically to provide essential information about the income and employment status of the victim and his relationship to the offender, and about the consequences and costs of the crime to the victim (e.g., the nature and extent of victim injury, the cost of medical attention, and the number of work days missed as a result of the crime), the NCS routinely asks victims about all these matters. At the same time official data generated by compensation programs have been less than satisfactory for cost estimates, partly because of the jurisdictional variability of statutory eligibility criteria, but principally because of the generally low levels of public awareness about the existence of such programs.

The NCS has succeeded in overcoming the major limitations to the accurate projection of program costs. First, the NCS data include information that enables one to approximate those eligibility criteria that typify most operating American compensation programs. Second, the survey is based on a general population sample of the United States, so the resulting cost estimates constitute projections about *all* crime victims, not just those who know about the program or who might apply for compensation. For this reason, the derived estimates apply to the *maximum* costs that one might reasonably expect to incur with the enactment of a national compensation program.

Although the estimates presented here are far preferable to those generated from conventional sources, they do suffer some limitations. For one thing, the NCS excludes persons under the age of 12 from the sample; to the extent that that group contains eligible victims, the NCS data will systematically underestimate compensation costs. As noted, one can only *approximate* most of the statutory eligibility criteria with NCS information. To the degree that the presumptions of eligibility based on definitions constructed from NCS measures are erroneous, the cost projections will be in error.

Another problem involves the accurate calculation of earnings *actually* lost as the result of victimization. It was necessary to infer loss of earnings from NCS information about time lost from work and family income. Even then, it was necessary to select an arbitrary factor by which to discount the loss of earnings estimates so that reimbursement of lost wages from sources other than victim compensation could be taken into account. Readers are invited to discount the total loss of earnings figure by whatever other proportion seems to be appropriate for their purposes.

It was also noted that the cost of homicide-related claims required special treatment herein because the NCS interviews victims, and, thus, does not include information about homicide. Fortunately, official statistics on homicide are considered quite reliable. Thus, measuring the number of homicides is not particularly troublesome. Estimating the number of homicide-related claims that might be disallowed for lack of eligibility, on the other hand, is more difficult. Determining their *net cost* (in terms of medical expenses to the family and in terms of the survivors' loss of support) is even more difficult. A more precise projection of the cost of death benefits than that provided here would require a specially designed inquiry into the nature of homicide and into the family and fiscal circumstances of a national sample of homicide victims.

On the basis of information about crimes

reported by a national sample of persons to the National Crime Survey, about homicides reported to police, and about the administrative costs of existing compensation programs, the *maximum* cost of a national compensation program for victims of violent crime was projected as being between $145 million and $260 million, depending on the eligibility criteria chosen. On the whole, crime-related medical expenses in 1974 appeared to have been borne largely by public or private insurance schemes; in 76,696 victimizations, net medical expenses totaled $22.5 million. Information was not available on net earnings losses due to victimization; it was estimated that reimbursement for all time lost from work would cost about $56 million, assuming worker's compensation and other alternative sources paid for another $56 million. An even greater share of program costs would go out as "death benefits" to the survivors of homicide victims. The cost of that provision is grossly estimated to be in the neighborhood of $80 million nationally.

One finding of particular significance bears repetition at this point. For both net medical expenses and loss of earnings, it is clear that the preponderance of dollar losses is borne by comparatively few victims. Consequently, it appears that minimum loss requirements would be quite effective in "weeding out" the majority of potential claims involving losses of either type. The disallowance of these lesser claims is generally justified in terms of the disproportionate administrative expenses that they would entail.

The invocation of cost-effective arguments at this juncture in the discussion of victim compensation is unfortunate for a number of reasons. In the first place, to assume that the "weeding" process, itself, entails no administrative expense is clearly fallacious. Second, and more important, the efficiency perspective overlooks some of the underlying principles and aims of compensating victims of crime. For example, the principle that would have the State assume responsibility for making the innocent victim of crime "whole" again would appear to be absolute in its application, inasmuch as it holds the victim above responsibility for any of the costs he is made to bear. The implication, by the imposition of a minimum loss requirement, that the victim must measure up to some standard of "desert" in order to activate the State's obligation is difficult to square with that principle. Furthermore, the cost-effective argument and the consequent minimum loss stipulations ignore an instrumental aim of compensating crime victims, that of winning victims' support for and cooperation with law enforcement officials. A statutory provision that summarily disallows the claims of a substantial majority of all crime victims who suffer compensable kinds of crime-related losses excluding homicide would seem dysfunctional, particularly in view of the fact that their inclusion in the program would not result in a proportionately commensurate increase in total program costs. Table 13 indicated, for example, that the deletion of a $100 minimum net medical cost requirement would result in a three-fold increase in the number of eligible claims but that the corresponding increase in compensable medical costs would be only 10 percent.

Whatever the moral, legal, or philosophical rationales for the advisability of victim compensation programs, it is certain that fiscal considerations will play a major role in decisions about whether to enact such programs. The material presented in this report should help to provide some solid footing for the discussion of fiscal issues as well as the ways that fiscal concerns interact with the aims of victim compensation.

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